

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

GARY W. MUFFLEY, Regional Director of the
Ninth Region of the National Labor
Relations Board, For and On Behalf of the
NATIONAL LABOR RELATIONS BOARD

Applicant,

Case No. 3:13-cv-150

Magistrate Judge Michael R. Merz

v.

JAMES R. CROTHERS,

Respondent.

**ORDER GRANTING APPLICATION FOR ENFORCEMENT OF
SUBPOENA**

On April 26, 2013, the National Labor Relations Board ("the Board") filed an application with the Court for an order enforcing a subpoena ad testificandum properly served on Respondent, James R. Crothers, in connection with the proceeding in Cases 9-CA-097384, 9-CA-097396, 9-CA-097403 and 9-CA-097408, now pending before the Board pursuant to Section 10 of the National Labor Relations Act, as amended (29 U.S.C. § 160).

On May 20, 2013, the Court caused to be served on Respondent an Order requiring him to appear personally before the Court on June 19, 2013, and show cause, if any, why this Court should not issue an order directing him to appear before an agent of the Regional Director for Region 9 of the Board at such time and place as the Regional Director may determine and give testimony.

On June 19, 2013, Respondent appeared as ordered, consented to magistrate judge jurisdiction under 28 U.S.C. § 636(c), and agreed to appear as ordered. Respondent filed no written response to the order to show cause. Good cause being shown for approval of the Board's application, and the Board having also consented to plenary magistrate judge jurisdiction on the record and the case having been referred on that basis, it is hereby ORDERED that:

1. The Application for Order Requiring Obedience to Subpoena Ad Testificandum is granted and that the subpoena is enforced.
 2. Respondent appear before an agent of the Regional Director in Room 3003, John Weld Peck Federal Building, 550 Main Street. Cincinnati, Ohio on the 2nd day of July 2013 at 9:00a.m. and give testimony in connection with the proceeding in Board Cases 9-CA-097384, 9-CA-097396, 9-CA-097403 and 9-CA-097408.
 3. That a copy of this Order be served on Respondent forthwith by the Clerk by ordinary mail at Respondent's acknowledged residence at 8 Mack Street, Gratis, Ohio 45330.
- June 20, 2013.

s/ *Michael R. Merz*
United States Magistrate Judge